# STATE OF IDAHO DEPARTMENT OF WATER RESOURCES

# TRANSFER OF WATER RIGHT TRANSFER NO. 71266

This is to certify that: BERNARD L BROWN

655 E 19TH N

**MOUNTAIN HOME ID 83647** 

(208)631-2965

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

#### Summary of Water Rights Before the Proposed Change

Right	Origin/Basis	<b>Priority</b>	<u>Rate</u>	<u>Volume</u>	Acre Limit	Total Acres	Source
61-7119	WR/License	07/10/1972	5.24 cfs	1048 af	262.0	364.0	GROUND WATER
61-2155	WR/Decreed	01/14/1963	5.86 cfs	1232 af	N/A	308.0	GROUND WATER
61-2154	WR/Decreed	01/14/1963	5.44 cfs	1088 af	272.0	799.0	GROUND WATER
61-7005	WR/Decreed	08/23/1967	5.24 cfs	1280 af	320.0	799.0	GROUND WATER
61-7396	WR/Decreed	01/04/1980	2.20 cfs	640 af	160.0	799.0	GROUND WATER
61-10378	WR/Decreed	04/30/1974	0.80 cfs	N/A	47.0	799.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

Current Number	<u>Split</u>	POD	<u>PQU</u>	Add POD	Period of Use	Nature of Use
61-7119	NO	NO	YES	YES	NO	NO
61-2155	NO	NO	YES	YES	NO	NO
61-2154	NO	NO	YES	YES	NO	NO
61-7005	NO	NO	YES	YES	NO	NO
61-7396	NO	NO	YES	YES	NO	NO
61-10378	NO	NO	YES	YES	NO	NO

Summary of Water Rights After the Approved Change

Existing Rìght	New No. (changed portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining I Acre Limit 1	
61-7119	61-7119	5.24 cfs	1048 af	262.0	1,459.0	)	N/A	N/A	N/A	N/A
61-2155	61-2155	5.86 cfs	1232 af	308.0	1,459.0	)	N/A	N/A	N/A	N/A
61-2154	61-2154	5.44 cfs	1088 af	272.0	1,459.0	)	N/A	N/A	N/A	N/A
61-7005	61-7005	5.24 cfs	1280 af	320.0	1,459.0	)	N/A	N/A	N/A	N/A
61-7396	61-7396	2.20 cfs	640 af	160.0	1,459.0	)	N/A	N/A	N/A	N/A
61-10378 COMBINE		0.80 cfs	N/A	47.0	1,459.	0	N/A	N/A	N/A	N/A
TOTALS		18.74cfs	4976 af	1244.0	1459.0	)	N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 3 nd day of December , 20 04

Chief, Water Alecation Bureau

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# WATER RIGHT NO. 61-7119 As Modified by Transfer No. 71266

In accordance with the approval of Transfer No. 71266, Water Right No. 61-7119 is now described as follows.

Right Holder: BERNARD L BROWN And/Or

**NORMA JEAN BROWN** 

655 E 19TH N

**MOUNTAIN HOME ID 83647** 

Priority Date: July 10, 1972

Source: GROUND WATER

BENEFICIAL USE	<u>From</u> <u>To</u>	<b>Diversion Rate</b>	<u>Volume</u>
IRRIGATION	03/15 to 11/15	5.24 CFS	1,048.0 AF
		5.24 CFS	1.048.0 AF

#### LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SESESE	Sec. 18 Twp 04S	Rge 06E ELMORE County
GROUND WATER	L1 (SENWNW)	Sec. 19 Twp 04S	Rge 06E ELMORE County
GROUND WATER	SWNESW	Sec. 19 Twp 04S	Rge 06E ELMORE County
GROUND WATER	NWSENE	Sec. 20 Twp 04S	Rge 06E ELMORE County
GROUND WATER	SWNWNW	Sec. 20 Twp 04S	Rge 06E ELMORE County

#### PLACE OF USE: IRRIGATION

Twp Rge Sec	NE	NW	sw	SE	
04S 06E 17	<u>ne   NW   SW   SE  </u>	<u>ne   nw   sw   se  </u> 	NE   NW   SW   SE   40.0 40.0	<u>  NE   NW   SW   SE  </u> 	<u>Totals</u> 80.0
04S 06E 18		   43.0 40.0   1.2		40.0 40.0 40.0 40.0	243.0
04S 06E 19	40.0 40.0 40.0 40.0	40.0 44.0 44.0 40.0 L1 L2	40.0 44.0 44.0 40.0 L3 L4	40.0	656.0
04S 06E 20	40.0 40.0 40.0 40.0	40.0   40.0   40.0   		[40.0 40.0 40.0 40.0]	480.0

Total Acres: 1459

- 1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
- 2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- 3. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
- 4. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

#### WATER RIGHT NO. 61-7119 As Modified by Transfer No. 71266

#### **CONDITIONS OF APPROVAL**

- 5. The total instantaneous diversion of water from all points of diversion under Rights 61-2154, 61-2155, 61-7005, 61-7119, 61-7396 and 61-10378 shall not exceed 18.74 cfs, nor a total combined annual volume of 4976.0 af for the irrigation of 1244 acres within the place of use described above in a single irrigation season.
- 6. Rights 61-2154, 61-7005, 61-7119, 61-7396 and 61-10378 when combined shall not exceed a total diversion rate of 12.88 cfs, a total annual maximum diversion volume of 3744.0 af at the field headgate, and the irrigation of 936 acres.
- 7. Rights 61-2154, 61-7119, 61-7396 and 61-10378 when combined shall not exceed a total diversion rate of 8.10 cfs.
- 8. This right is limited to the irrigation of 262 acres within the place of use described above in a single irrigation season.
- 9. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.
- 10. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
- 11. After specific notification by the Department, the right holder shall record the quantity of water diverted or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
- 12. Rights 61-2154, 61-2155, 61-7005, 61-7396 and 61-10378 are also diverted through the points of diversion described above.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this _	3 24	_ day of _ Decemb	<u></u> , 20 <u>04</u>	
				,
			bay Spackman	_
			Chief, Water Allocation Bureau	

#### WATER RIGHT NO. 61-7005 As Modified by Transfer No. 71266

In accordance with the approval of Transfer No. 71266, Water Right No. 61-7005 is now described as follows.

Right Holder: BERNARD L BROWN

655 E 19TH N

**MOUNTAIN HOME ID 83647** 

Priority Date: August 23, 1967

Source: GROUND WATER

BENEFICIAL USE	<u>From</u> <u>To</u>	<b>Diversion Rate</b>	<u>Volume</u>
IRRIGATION	3/01 to 10/15	5.24 CFS	1,280.0 AF
		5.24 CFS	1,280.0 AF

#### **LOCATION OF POINT(S) OF DIVERSION:**

GROUND WATER	SESESE	Sec. 18 Twp 04S	Rge 06E ELMORE County
GROUND WATER	L1 (SENWNW)	Sec. 19 Twp 04S	Rge 06E ELMORE County
GROUND WATER	SWNESW	Sec. 19 Twp 04S	Rge 06E ELMORE County
GROUND WATER	NWSENE	Sec. 20 Twp 04S	Rge 06E ELMORE County
GROUND WATER	SWNWNW	Sec. 20 Twp 04S	Rge 06E ELMORE County

#### PLACE OF USE: IRRIGATION

Twp Rge Sec	NE !	NW	sw	SE
	NE   NW   SW   SE	NE   NW   SW   SE	NE   NW   SW   SE	NE   NW   SW   SE   Totals
04S 06E 17			40.0 40.0	Į 8 <b>0</b> .0
		400 400		   40.0
04S 06E 18		] 43.0 40.0   L2		1 40.0 40.0 40.0 40.0  243.0
04S 06E 19	   40.0   40.0   40.0   40.0		40.0 44.0 44.0 40.0	40.0 40.0 40.0 40.0 656.0
040 002 10	1 ,0.0 10.0 10.0	L1 L2	L3 L4	į
04S 06E 20	40.0 40.0 40.0 40.0	40.0 40.0 40.0 40.0		140.0 40.0 40.0 40.0 480.0
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Total Acres: 1459

- 1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
- 2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- 3. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
- 4. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

#### WATER RIGHT NO. 61-7005 As Modified by Transfer No. 71266

#### **CONDITIONS OF APPROVAL**

- 5. The total instantaneous diversion of water from all points of diversion under Rights 61-2154, 61-2155, 61-7005, 61-7119, 61-7396 and 61-10378 shall not exceed 18.74 cfs, nor a total combined annual volume of 4976.0 af for the irrigation of 1244 acres within the place of use described above in a single irrigation season.
- 6. Rights 61-2154, 61-7005, 61-7396 and 61-10378 when combined shall not exceed a total diversion rate of 12.88 cfs, a total annual maximum diversion volume of 3196.0 af at the field headgate for the irrigation of 799 acres.
- 7. Rights 61-2154, 61-7005, 61-7119, 61-7396 and 61-10378 when combined shall not exceed a total diversion rate of 12.88 cfs, a total annual maximum diversion volume of 3744.0 af at the field headgate, and the irrigation of 936 acres.
- 8. This right is limited to the irrigation of 320 acres within the place of use described above in a single irrigation season.
- 9. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
- 10. After specific notification by the Department, the right holder shall record the quantity of water diverted or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
- 11. The period of use for the irrigation described in this approval may be extended to an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water 10/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 2/27/2003.
- 12. Rights 61-2154, 61-2155, 61-7119, 61-7396 and 61-10378 are also diverted through the points of diversion described above.

Chief, Water Allocation Bureau

#### WATER RIGHT NO. 61-7396 As Modified by Transfer No. 71266

In accordance with the approval of Transfer No. 71266, Water Right No. 61-7396 is now described as follows.

Right Holder: BERNARD L BROWN

655 E 19TH N

**MOUNTAIN HOME ID 83647** 

Priority Date: January 04, 1980

Source: GROUND WATER

BENEFICIAL USE	<u>From</u> <u>To</u>	<b>Diversion Rate</b>	<u>Volume</u>
IRRIGATION	3/15 to 11/15	2.20 CFS	640.0 AF
		2 20 CFS	640.0 AF

# LOCATION OF POINT(S) OF DIVERSION:

	• •		
GROUND WATER	SESESE	Sec. 18 Twp 04S	Rge 06E ELMORE County
GROUND WATER	L1 (SENWNW)	Sec. 19 Twp 04S	Rge 06E ELMORE County
GROUND WATER	SWNESW		Rge 06E ELMORE County
GROUND WATER	NWSENE		Rge 06E ELMORE County
	SWNWNW		Rge 06E ELMORE County
GROUND WATER	OAAIAAAIAAA	360. 20 TWP 070	rige ook believe odding

#### PLACE OF USE: IRRIGATION

Twp Rge Sec	NE I	NW	SW	j SE	
	NE   NW   SW   SE	NE   <u>NW   SW   SE  </u>	NE   NW   SW   SE	<u>NE INW ISW ISE I</u>	<u>Totals</u>
04S 06E 17		<u> </u>	40.0 40.0	 	80.0
04S 06E 18		43.0 40.0		40.0 40.0 40.0 40.0	243.0
04S 06E 19	   40.0   40.0   40.0   40.0		   40.0  44.0  44.0  40.0	    40.0 40.0 40.0 40.0	656.0
04S 06E 20	i 1 40.0   40.0   40.0   40.0	È L1 L2 I 40.0 40.0 40.0 40.0	L3 <b>L</b> 4	[	 480.0
040 00L 20				į į	

Total Acres: 1459

- 1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
- 2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- 3. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
- 4. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

## WATER RIGHT NO. 61-7396 As Modified by Transfer No. 71266

#### **CONDITIONS OF APPROVAL**

- 5. The total instantaneous diversion of water from all points of diversion under Rights 61-2154, 61-2155, 61-7005, 61-7119, 61-7396 and 61-10378 shall not exceed 18.74 cfs, nor a total combined annual volume of 4976.0 af for the irrigation of 1244 acres within the place of use described above in a single irrigation season.
- 6. Rights 61-2154, 61-7005, 61-7396 and 61-10378 when combined shall not exceed a total diversion rate of 12.88 cfs, a total annual maximum diversion volume of 3196.0 af at the field headgate for the irrigation of 799 acres.
- 7. Rights 61-2154, 61-7005, 61-7119, 61-7396 and 61-10378 when combined shall not exceed a total diversion rate of 12.88 cfs, a total annual maximum diversion volume of 3744.0 af at the field headgate, and the irrigation of 936 acres.
- 8. Rights 61-2154. 61-7119, 61-7396 and 61-10378 when combined shall not exceed a total diversion rate of 8.10 cfs.
- 9. This right is limited to the irrigation of 160 acres within the place of use described above in a single irrigation season.
- 10. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
- 11. After specific notification by the Department, the right holder shall record the quantity of water diverted or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
- 12. Rights 61-2154, 61-2155, 61-7005, 61-7119 and 61-10378 are also diverted through the points of diversion described above.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho

law and appli	cable rules o	f the Depar	tment of Water Resou	irces.
Dated this	3 <u>14</u>	day of _	December	, 20_ <i>04</i>
			_	Cay Spackman
			Chie	ef, Water Allocation Bureau

# WATER RIGHT NO. 61-10378 As Modified by Transfer No. 71266

In accordance with the approval of Transfer No. 71266, Water Right No. 61-10378 is now described as follows.

Right Holder: BERNARD L BROWN

655 E 19TH N

MOUNTAIN HOME ID 83647

Priority Date: April 30, 1974

Source: GROUND WATER

BENEFICIAL USE	From <u>To</u>	<b>Diversion Rate</b>	<u>Volume</u>
IRRIGATION	3/15 to 11/15	0.80 CFS	
		0.80 CFS	

#### LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SESESE	Sec. 18 Twp 04S	Rge 06E ELMORE County
=	LA (OFABABBAI)	Con 10 Turn 049	Rge 06E ELMORE County
GROUND WATER	L1 (SENWNW)	3ec. 19 1wp 043	Tige ook Lemonie ooung
=	0.14.50144	C 40 Tun 048	Page ORE FLMORE County
GROUND WATER	SWNESW	Sec. 19 1WP 045	Rge 06E ELMORE County
		0 00 Tum 040	Day ORE ELMORE County
GROUND WATER	NWSENE	Sec. 20 TWP 045	Rge 06E ELMORE County
<del>-</del>		O	Day ORE ELMORE County
GROUND WATER	SWNWNW	Sec. 20 TWP 045	Rge 06E ELMORE County
OKOOKO WALLA	• • • • • • • • • • • • • • • • • • • •		=

# PLACE OF USE: IRRIGATION

Twp Rge Sec 04S 06E 17	NE   NW   SW   SE	NW   <u>NE   NW   SW   SE  </u>	SW NE 1 NW   SW   SE   40.0 40.0	SE   Totals
04S 06E 18		1 43.0 40.0 L 2	_	140.0 40.0 40.0 40.0 243.0
04S 06E 19 04S 06E 20	40.0 40.0 40.0 40.0 40.0 40.0 40.0 40.0	L1 L2	L3 L4	40.0 40.0 40.0 40.0 656.0

Total Acres: 1459

- 1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
- 2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- 3. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
- 4. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

# WATER RIGHT NO. 61-10378 As Modified by Transfer No. 71266

# **CONDITIONS OF APPROVAL**

- 5. The total instantaneous diversion of water from all points of diversion under Rights 61-2154, 61-2155, 61-7005, 61-7119, 61-7396 and 61-10378 shall not exceed 18.74 cfs, nor a total combined annual volume of 4976.0 af for the irrigation of 1244 acres within the place of use described above in a single irrigation season.
- 6. Rights 61-2154, 61-7005, 61-7396 and 61-10378 when combined shall not exceed a total diversion rate of 12.88 cfs, a total annual maximum diversion volume of 3196.0 af at the field headgate for the irrigation of 799 acres.
- 7. Rights 61-2154 and 61-10378 when combined shall not exceed a total diversion rate of 5.44 cfs and a total annual maximum diversion volume of 1276.0 af at the field headgate.
- 8. Rights 61-2154, 61-7005, 61-7119, 61-7396 and 61-10378 when combined shall not exceed a total diversion rate of 12.88 cfs, a total annual maximum diversion volume of 3744.0 af at the field headgate, and the irrigation of 936 acres.
- 9. Rights 61-2154. 61-7119, 61-7396 and 61-10378 when combined shall not exceed a total diversion rate of 8.10 cfs.
- 10. This right is for an enlargement of 47 acres within the place of use described above.
- 11. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
- 12. After specific notification by the Department, the right holder shall record the quantity of water diverted or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
- 13. This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.
- 14. Right 61-10378 is an enlargement of Right 61-2154 pursuant to Section 42-1426, Idaho Code.
- 15. Rights 61-2154, 61-2155, 61-7005, 61-7119 and 61-7396 are also diverted through the points of diversion described above.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 3rd day of December, 2004

Chief, Water Allocation Bureau

# WATER RIGHT NO. 61-2154 As Modified by Transfer No. 71266

In accordance with the approval of Transfer No. 71266, Water Right No. 61-2154 is now described as follows.

Right Holder: BERNARD L BROWN

655 E 19TH N

MOUNTAIN HOME ID 83647

Priority Date: January 14, 1963

Source: GROUND WATER

BENEFICIAL USE	From To	<b>Diversion Rate</b>	<u>Volume</u>
IRRIGATION	3/15 to 11/15	5.44 CFS	1,080.0 AF
IKKIGATION		5.44 CFS	1,088.0 AF

# LOCATION OF POINT(S) OF DIVERSION:

SESESE	Sec. 18 Twp 04S	Rge 06E ELMORE County
	0 40 Turn 040	Dec ORE ELMODE County
11 (SENWNW)	Sec. 19 TWP 045	KG6 00 ELMONE County
2. (02.00.00)	- 10 T 010	Dara DOE FLMORE County
SWNFSW	Sec. 19 LWD 045	Kde not Ethiove comits
011112011		D AGE ELMODE County
NWSENE	Sec. 20 Two 04S	Rde 06E ELMORE County
INTOLINE		TO THE THEODY County
C/V/N/V/N/V/	Sec. 20 Twn 045	Rae 06E ELMOKE County
CAMIAAAIAAA	000. 20 Tup 0 To	
	SESESE L1 (SENWNW) SWNESW NWSENE	SESESE         Sec. 18 Twp 04S           L1 (SENWNW)         Sec. 19 Twp 04S           SWNESW         Sec. 19 Twp 04S           NWSENE         Sec. 20 Twp 04S

# PLACE OF USE: IRRIGATION

Twp Rge Sec   04S 06E 17	NE   NW   SW   SE	NW NE   NW   SW   SE	SW <u>NE   NW   SW   SE  </u>   40.0 40.0	SE   Totals
04S 06E 18		43.0 40.0   L2	i	40.0 40.0 40.0 40.0 243.0
04S 06E 19	40.0	L1 L2	L3 L4	40.0 40.0 40.0 40.0 40.0 480.0

Total Acres: 1459

- 1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
- 2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- 3. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
- 4. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

# WATER RIGHT NO. 61-2154 As Modified by Transfer No. 71266

- 5. The total instantaneous diversion of water from all points of diversion under Rights 61-2154, 61-2155, 61-7005, 61-7119, 61-7396 and 61-10378 shall not exceed 18.74 cfs, nor a total combined annual volume of 4976.0 af for the irrigation of 1244 acres within the place of use described above in a single irrigation season.
- 6. Rights 61-2154, 61-7005, 61-7396 and 61-10378 when combined shall not exceed a total diversion rate of 12.88 cfs, a total annual maximum diversion volume of 3196.0 af at the field headgate for the irrigation of 799 acres.
- 7. Rights 61-2154 and 61-10378 when combined shall not exceed a total diversion rate of 5.44 cfs and a total annual maximum diversion volume of 1276.0 af at the field headgate.
- 8. Rights 61-2154, 61-7005, 61-7119, 61-7396 and 61-10378 when combined shall not exceed a total diversion rate of 12.88 cfs, a total annual maximum diversion volume of 3744.0 af at the field headgate, and the irrigation of 936 acres.
- 9. Rights 61-2154, 61-7119, 61-7396 and 61-10378 when combined shall not exceed a total diversion rate of 8.10 cfs.
- 10. This right is limited to the irrigation of 272 acres within the place of use described above in a single irrigation season.
- 11. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
- 12. After specific notification by the Department, the right holder shall record the quantity of water diverted or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
- 13. Right 61-10378 is an enlargement of Right 61-2154 pursuant to Section 42-1426, Idaho Code.
- 14. Rights 61-2155, 61-7005, 61-7119, 61-7396 and 61-10378 are also diverted through the points of diversion described above.

law and appl	icable rules o	if the Departi	ment of Water Resoul	e administered in accordance with Idaho rces.
Dated this	3 <u>1</u> 1d	day of	December	, 20 <u></u>
				Cary Spackman
			Chie	f, Water Allocation Bureau

# WATER RIGHT NO. 61-2155 As Modified by Transfer No. 71266

In accordance with the approval of Transfer No. 71266, Water Right No. 61-2155 is now described as follows.

Right Holder: BERNARD L BROWN

655 E 19TH N

MOUNTAIN HOME ID 83647

Priority Date: January 14, 1963

Source: GROUND WATER

BENEFICIAL USE	From To	<b>Diversion Rate</b>	<u>Volume</u>
IRRIGATION	04/01 to 10/31	5.86 CFS	1,232.0 AF
TATION TO T	*	5.86 CFS	1,232.0 AF

# LOCATION OF POINT(S) OF DIVERSION:

LOOK HON OF CONTRACT	,		
GROUND WATER	SESESE	Sec. 18 Twp 04S	Rge 06E ELMORE County
	1.4 (OFBRANKA)	Son 10 Two 04S	Rge 06E ELMORE County
GROUND WATER	L1 (SENWNW)	Sec. 18 TWP 070	rige ook bemore obanis
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# PLACE OF USE: IRRIGATION

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Total Acres: 1459

- 1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
- 2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- 3. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
- 4. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

# WATER RIGHT NO. 61-2155 As Modified by Transfer No. 71266

## **CONDITIONS OF APPROVAL**

- 5. The total instantaneous diversion of water from all points of diversion under Rights 61-2154, 61-2155, 61-7005, 61-7119, 61-7396 and 61-10378 shall not exceed 18.74 cfs, nor a total combined annual volume of 4976.0 af for the irrigation of 1244 acres within the place of use described above in a single irrigation season.
- 6. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 10/26/2000.
- 7. All water rights within Basin 61 are from connected sources of water in the Snake River Basin and shall be administered conjunctively.
- 8. This right is limited to the irrigation of 308 acres within the place of use described above in a single irrigation season.
- 9. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
- 10. After specific notification by the Department, the right holder shall record the quantity of water diverted or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
- 11. Rights 61-2154, 61-7005, 61-7119, 61-7396 and 61-10378 are also diverted through the points of diversion described above.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this	3 <u>14</u>	day of	December	, 20 <u></u>
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				bay Spackman
			Chie	ef, Water Allocation Bureau